

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

BLUE MACELLARI,)	
)	
Plaintiff,)	
)	
v.)	Case No. 05-4161-JPG
)	
RUSTY CARROLL, R2C2,)	
INCORPORATED, and)	
DIGITALSMITHS CORPORATION,)	
)	
Defendants.)	

ORDER

GILBERT, District Judge:

This matter comes before the Court on the Stipulation of Dismissal (Doc. 28) pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii) signed by all parties who have appeared in this case. Rule 41(a)(1)(ii) allows dismissal by a plaintiff without a court order by filing such a stipulation. Therefore, the Court finds that this action is **DISMISSED with prejudice** and **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.

Dated: January 12, 2006.

/s/ J. Phil Gilbert
J. PHIL GILBERT
U.S. District Judge